

³ *Boag v. MacDougall*, 454 U.S. 364, 365 (1982) (per curiam); *Haines v. Kerner*, 404 U.S. 519, 520 (1972).

relief can be granted, or if it lacks an arguable basis in law or fact.⁴ The Court's obligation to liberally construe Plaintiff's complaint is not without limits and does not require the Court to conjure factual allegations or legal claims on Plaintiff's behalf.⁵

As a threshold matter, federal courts are courts of limited jurisdiction and it is Plaintiff's burden to establish that this Court has authority to hear his case.⁶ Federal courts have subject-matter jurisdiction over civil actions "arising under the Constitution, laws, or treaties of the United States,"⁷ and over cases where there is complete diversity of citizenship between the parties and the amount in controversy exceeds \$75,000.00.⁸

Plaintiff's complaint does not articulate a cognizable federal question, nor is a federal question discernable on the face of the pleading. While Plaintiff seeks One Million Dollars in damages, Plaintiff's complaint does not articulate facts from which the Court could infer a basis for diversity jurisdiction. Even liberally construed, Plaintiff's complaint does not invoke federal subject matter jurisdiction and without subject matter jurisdiction, the Court lacks authority over this matter.⁹ Nor does the complaint satisfy

⁴ [*Neitzke v. Williams*, 490 U.S. 319, 328 \(1989\)](#); [*Sistrunk v. City of Strongsville*, 99 F.3d 194, 197 \(6th Cir. 1996\)](#).

⁵ [*Wells v. Brown*, 891 F.2d 591, 594 \(6th Cir. 1989\)](#) (collecting cases); [*Beaudett v. City of Hampton*, 775 F.2d 1274, 1277 \(4th Cir. 1985\)](#).

⁶ [*Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 \(1994\)](#) (collecting cases).

⁷ [28 U.S.C. § 1331](#).

⁸ [28 U.S.C. § 1332](#).

⁹ [*Carlock v. Williams*, 182 F.3d 916 \(Table\) \(6th Cir. 1999\)](#) (when the face of the complaint provides no basis for federal jurisdiction, the action may be dismissed as frivolous and for lack of subject matter jurisdiction) (citing [*Michigan Sav. and Loan League v. Francis*, 683 F.2d 957, 960 \(6th Cir. 1982\)](#)); see also [*Apple v. Glenn*, 183 F.3d 477, 479 \(6th Cir. 1999\)](#) (holding that a district court may *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) when the allegations of the complaint are "totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.") (citation omitted).

federal notice pleading requirements because it does not provide defendants with fair notice of the claims against them and the grounds upon which those claims rest.¹⁰

Accordingly, this action is dismissed for lack of subject matter jurisdiction and pursuant to 28 U.S.C. § 1915(e). Plaintiff's application to proceed *in forma pauperis* is granted.¹¹

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: June 18, 2019

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

¹⁰ See [Bell Atl. Corp. v. Twombly](#), 550 U.S. 544, 555 (2007).

¹¹ [Doc. 2](#).